

Kansas Department of Agriculture

Division of Food Safety and Lodging

1320 Research Park Drive, Manhattan, KS 66502
(office) 785-564-6767 (fax) 785-564-6779

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Insp Date: 3/5/2015 **Business ID:** 81746FE
Business: PALETERIA LA MICHOACANA

1259 CENTRAL AVE
KANSAS CITY, KS 66102

Inspection: 77001187
Store ID:
Phone: 9132331300
Inspector: KDA77
Reason: 01 Routine
Results: Follow-up

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
03/05/15	03:15 PM	05:10 PM	1:55	0:08	2:03	0	
Total:			1:55	0:08	2:03	0	

FOOD ESTABLISHMENT PROFILE

Insp. Notification Print

Lic. Insp. No

Priority(P) Violations 5 Priority foundation(Pf) Violations 8

Certified Manager on Staff ..

Address Verified p

Actual Sq. Ft. 0

Certified Manager Present ..

INSPECTION INFORMATION

Risk factors are improper practices or procedures identified as the most prevalent contributing factors of food-borne illness or injury. Public health interventions are control measures to prevent food-borne illness or injury.

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals and physical objects into foods.

Violations cited in this report must be corrected within the time frames entered below, or as stated in sections 8-405.11 of the food code.

P=Priority Violation, Pf=Priority foundation violation, HACCP=Hazard Analysis-Critical Control Point, BHC=Bare Hand Contact, RTE=Ready to Eat, HSP=Highly Susceptible Population, K.S.A.=Kansas Statutes Annotated, All temperatures are measured in degrees Fahrenheit (°F).

IF YOU HAVE ANY QUESTIONS PLEASE VISIT www.agriculture.ks.gov, EMAIL fsl@kda.ks.gov, OR CALL (785) 564-6767.

COMPLIANCE KEY: Y=in compliance; N=not in compliance; O=not observed; A=not applicable; C=corrected on-site during inspection; R=repeat violation.

This item has Notes. See Footnote 1 at end of questionnaire.

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Demonstration of Knowledge

1. Certification by accredited program, compliance with Code, or correct responses.

Y N O A C R
.. .. p

Employee Health

2. Management awareness; policy present.

Y N O A C R
p

3. Proper use of reporting, restriction and exclusion.

p

Good Hygienic Practices

Y N O A C R

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Good Hygienic Practices	Y	N	O	A	C	R
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4. Proper eating, tasting, drinking, or tobacco use	p
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5. No discharge from eyes, nose and mouth.	p
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Preventing Contamination by Hands	Y	N	O	A	C	R
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6. Hands clean and properly washed.	p
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7. No bare hand contact with RTE foods or approved alternate method properly followed.	p
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8. Adequate handwashing facilities supplied and accessible.	..	p
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<i>Fail Notes</i>	5-205.11(B)	<i>Pf - A HANDWASHING SINK may not be used for purposes other than handwashing. [At handsink in ice cream manufacturing side, bowl, miscellaneous equipment in basin of handsink. Corrected on-Site, COS removed.]</i>
	6-301.11	<i>Pf - Each HANDWASHING SINK or group of two adjacent HANDWASHING SINKS shall be provided with a supply of hand cleaning liquid, powder, or bar soap. [No handsoap at hansink in unisex toilet room. COS supplied.]</i>
	6-301.12	<i>Pf - Each HANDWASHING SINK or group of adjacent HANDWASHING SINKS shall be provided with: Individual, disposable towels; a continuous towel system that supplies the user with a clean towel; a heated-air hand drying device; or a hand drying device that employs an air-knife system that delivers high velocity, pressurized air at ambient temperatures. [No handsoap at handsink in unisex toilet room, at handsink in cooking area, at handsink in ice cream room, at handsink in toilet room in ice cream room. napkins used at handsink in ice cream parlor area.]</i>

Approved Source	Y	N	O	A	C	R
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9. Food obtained from approved source.	p
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10. Food received at proper temperature.	p
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11. Food in good condition, safe and unadulterated.	p
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12. Required records available: shellstock tags, parasite destruction.	p
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Protection from Contamination	Y	N	O	A	C	R
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13. Food separated and protected.	p
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14. Food-contact surfaces: cleaned and sanitized.	p
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15. Proper disposition of returned, previously served, reconditioned and unsafe food.	p
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Potentially Hazardous Food Time/Temperature	Y	N	O	A	C	R
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16. Proper cooking time and temperatures.	p
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17. Proper reheating procedures for hot holding.	p
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18. Proper cooling time and temperatures.	p
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19. Proper hot holding temperatures.	p
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20. Proper cold holding temperatures.	p
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This item has Notes. See Footnote 2 at end of questionnaire.

21. Proper date marking and disposition.	..	p	p	..
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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Potentially Hazardous Food Time/Temperature	Y	N	O	A	C	R
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Fail Notes	<p>3-501.18(A)(2) <i>P - RTE PHF/TCS, Disposition (discard if in a container w/out a date) Refrigerated, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) prepared or opened and held in a FOOD ESTABLISHMENT for more than 24 hours shall be discarded if it is not clearly marked to indicate the date or day by which the FOOD shall be consumed on the PREMISES, sold, or discarded when held at a temperature of 5°C (41°F) or less for a maximum of 7 days, with the day of preparation counted as Day 1. [(3-501.17A) Refried beans MOS with date of 11/27/14 on container. PIC stated it was pulled from freezer 3/5/15. COS dated.]</i></p> <p>3-501.18(A)(3) <i>P - RTE PHF/TCS, Disposition (discard if dated for more than 7 days) Refrigerated, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) prepared or opened and held in a FOOD ESTABLISHMENT for more than 24 hours shall be discarded if it is marked to indicate a date or day by which the FOOD shall be consumed on the PREMISES, sold, or discarded when held at a temperature of 5°C (41°F) or less that is more than 7 days from the date of preparation or opening, with the day of preparation counted as Day 1. [In reach in cooler, MOS cooked pork with date of 3/2 and discard date of 3/9, MOS shredded beef 2/27 and discard date of 3/7. COS redated, education.]</i></p>
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22. Time as a public health control: procedures and record.

.. .. . p

Consumer Advisory	Y	N	O	A	C	R
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23. Consumer advisory provided for raw or undercooked foods.

.. .. . p

Highly Susceptible Populations	Y	N	O	A	C	R
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24. Pasteurized foods used; prohibited foods not offered.

.. .. . p

Chemical	Y	N	O	A	C	R
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25. Food additives: approved and properly used.

.. .. . p

26. Toxic substances properly identified, stored and used.

.. p p ..

Fail Notes	<p>7-102.11 <i>Pf - Common Name (Working Containers) Working containers used for storing POISONOUS OR TOXIC MATERIALS such as cleaners and SANITIZERS taken from bulk supplies shall be clearly and individually identified with the common name of the material. [Working spray bottle of blue liquid with no label on container. PIC stated it was glass cleaner. (windex) COS labeled.]</i></p>
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Conformance with Approved Procedures	Y	N	O	A	C	R
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27. Compliance with variance, specialized process and HACCP plan.

.. .. . p

GOOD RETAIL PRACTICES

Safe Food and Water	Y	N	O	A	C	R
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28. Pasteurized eggs used where required.

.. .. . p

29. Water and ice from approved source.

p

30. Variance obtained for specialized processing methods.

.. .. . p

Food Temperature Control	Y	N	O	A	C	R
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31. Proper cooling methods used; adequate equipment for temperature control.

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KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Food Temperature Control	Y	N	O	A	C	R
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Fail Notes 3-501.15(A) *Pf - TCS Cooling (Methods) - Cooling shall be accomplished in accordance with the required time and temperature criteria by using one or more of the following methods based on the type of FOOD being cooled: placing the FOOD in shallow pans; separating the FOOD into smaller or thinner portions; using rapid cooling EQUIPMENT; stirring the FOOD in a container placed in an ice water bath; using containers that facilitate heat transfer; adding ice as an ingredient; or, other effective methods.*
[Cooling methods at establishment are inadequate to cool foods in the parameters required by the food code. MOS proteins in deep metal pans with lids covering pans placed hot into reach in cooler. Proteins need to be placed in shallow metal pans to chill quicker or placed on ice.]

32. Plant food properly cooked for hot holding. p
 33. Approved thawing methods used. p
 34. Thermometers provided and accurate. p

Food Identification	Y	N	O	A	C	R
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35. Food properly labeled; original container. p

Prevention of Food Contamination	Y	N	O	A	C	R
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36. Insects, rodents and animals not present. .. p

Fail Notes 6-202.15(A)(3) *Outer openings (Doors) Outer openings of a FOOD ESTABLISHMENT shall be protected against the entry of insects and rodents by solid, self-closing, tight-fitting doors.*
[At front exterior door to establishment, 1" gap at bottom of door where door meets floor.]

6-501.111(A) *P - Pests (Prohibited) The PREMISES shall be maintained free of insects, rodents, and other pests.*
[50 fresh droppings in unisex toilet room in kitchen area. In cooking area of kitchen, over 150 rodent droppings in cabinet under handsink, in cabinet under hot hold unit, along wall behind make table top. 40 fresh droppings in broom closet. Gnawing evidence on plastic bag (empty) in kitchen area. Establishment does self control, does not own building. On ice cream manufacturing side, aged rodent droppings in sterilite container holding utensils and 1 fresh dropping on prep counter.]

6-501.111(B)(3) *Pf - Pests (Control Measures) The presence of insects, rodents, and other pests shall be controlled to eliminate their presence on the PREMISES by using methods, if evidence of pests is found, such as trapping devices or other means of pest control.*
[No effective pest control in place. PIC has a few glue traps with nuts on traps trying to catch mice. He knows he has an infestation. Employee saw a mouse this morning. Total of 12 caught so far.]

37. Contamination prevented during food preparation, storage and display. .. p

Fail Notes 3-305.11(A)(1) *Food storage - Except as specified in ¶¶ (B) and (C) of 3-305.11, FOOD shall be protected from contamination by storing the FOOD: in a clean, dry location; where it is not exposed to splash, dust, or other contamination; and at least 15 cm (6 inches) above the floor.*
[Bottles of syrup flavorings stored in crates on floor of ice cream manufacturing area.]

38. Personal cleanliness. p
 39. Wiping cloths: properly used and stored. p
 40. Washing fruits and vegetables. p

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Proper Use of Utensils			Y	N	O	A	C	R
41. In-use utensils: properly stored.			..	p	..	..	..	..
<i>Fail Notes</i>	3-304.12(B)	<i>In-use utensil storage (Non-PHF/TCS-handles above food) During pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS shall be stored in FOOD that is not POTENTIALLY HAZARDOUS (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) with their handles above the top of the FOOD within containers or EQUIPMENT that can be closed, such as bins of sugar, flour, or cinnamon.</i> <i>[Bowl used as scoop in container of sugar on ice cream manufacturing side, bowl used as scoop in container of rice in kitchen area. Bowl used as scoop in container of sugar in kitchen. COS removed]</i>						
	3-304.12(D)	<i>In-use utensil storage (Running water) During pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS used with moist FOOD such as ice cream or mashed potatoes shall be stored in running water of sufficient velocity to flush particulates to the drain.</i> <i>[Spatula in standing water at room temperature in kitchen.]</i>						
42. Utensils, equipment and linens: properly stored, dried and handled.			p	..	..	..	..	..
43. Single-use and single-service articles: properly used.			p	..	..	..	..	..
44. Gloves used properly.			p	..	..	..	..	..
Utensils, Equipment and Vending			Y	N	O	A	C	R
45a. Food and non-food contact surfaces cleanable, properly designed, constructed and used-P and Pf items			..	p	..	..	..	..
<i>Fail Notes</i>	4-102.11(A)(1)	<i>P - Materials that are used to make SINGLE-SERVICE and SINGLE-USE ARTICLES may not allow the migration of deleterious substances.</i> <i>[Fried pasta stored in cardboard container. Husks for tamales stored in non food grade thank you bag in reach in cooler in kitchen.]</i>						
45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used-Core items			p	..	..	..	..	..
46. Warewashing facilities: installed, maintained, and used; test strips.			p	..	..	..	..	..
<i>This item has Notes. See Footnote 3 at end of questionnaire.</i>								
47. Non-food contact surfaces clean.			p	..	..	..	..	..
Physical Facilities			Y	N	O	A	C	R
48. Hot and cold water available; adequate pressure.			p	..	..	..	..	..
49. Plumbing installed; proper backflow devices.			..	p	..	..	..	..
<i>Fail Notes</i>	5-202.12(A)	<i>Pf - A HANDWASHING SINK shall be equipped to provide water at a temperature of at least 38°C (100°F) through a mixing valve or combination faucet.</i> <i>[Handsink in toilet room in kitchen area at 96F. Handsink in ice cream parlor area at 96F.]</i>						
	5-205.15(B)	<i>Plumbing system (Maintained) A PLUMBING SYSTEM shall be maintained in good repair.</i> <i>[Handsink in kitchen plumbed with hot water on right side of handsink.]</i>						
50. Sewage and waste water properly disposed.			p	..	..	..	..	..
51. Toilet facilities: properly constructed, supplied and cleaned.			..	p	..	..	..	..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Physical Facilities

Y N O A C R

Fail Notes | 6-202.14 *Except where a toilet room is located outside a FOOD ESTABLISHMENT and does not open directly into the FOOD ESTABLISHMENT, such as a toilet room that is provided by the management of a shopping mall, a toilet room located on the PREMISES shall be completely enclosed and provided with a tight-fitting and self-closing door.*
[No self closing door to unisex toilet room in kitchen area.]

52. Garbage and refuse properly disposed; facilities maintained.

p

53. Physical facilities installed, maintained and clean.

.. p

Fail Notes | 6-501.11 *PHYSICAL FACILITIES shall be maintained in good repair.*
[Holes in walls where light fixtures located. Holes in floors, holes in sheetrock. Lightswitch covers missing.]

54. Adequate ventilation and lighting; designated areas used.

p

Administrative/Other

Y N O A C R

55. Other violations

.. p

Fail Notes | 8-404.11 *P - A LICENSEE shall immediately discontinue operations and notify the REGULATORY AUTHORITY if an IMMINENT HEALTH HAZARD may exist because of an emergency such as a fire, flood, extended interruption of electrical or water service, SEWAGE backup, misuse of POISONOUS OR TOXIC MATERIALS, onset of an apparent foodborne illness outbreak, gross insanitary occurrence or condition, or other circumstance that may endanger public health. A LICENSEE need not discontinue operations in an area of an establishment that is unaffected by the IMMINENT HEALTH HAZARD.*
[Due to rodent infestation, establishment must close until the pests are eliminated and evidence of pests is eliminated. Rodent droppings located in all areas of ice cream parlor/kitchen area of establishment.]

EDUCATIONAL MATERIALS

The following educational materials were provided ..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

Accompanied by KDA40

Footnote 2

Notes:

Cold holding

in make table top, sliced tomatoes at 38F, shredded lettuce at 40F

in reach in cooler, ambient at 39 at make table top.

in reach in cooler, shrimp at 39F

frozen foods frozen solid

Footnote 3

Notes:

Strips in place for chlorine.

VOLUNTARY CLOSURE STATEMENT

Insp Date: 3/5/2015 **Business ID:** 81746FE
Business: PALETERIA LA MICHOACANA

1259 CENTRAL AVE
KANSAS CITY, KS 66102

Inspection: 77001187
Store ID:
Phone: 9132331300
Inspector: KDA77
Reason: 01 Routine

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes;
03/05/15	03:15 PM	05:10 PM	1:55	0:08	2:03	0	
Total:			1:55	0:08	2:03	0	

VOLUNTARY CLOSURE STATEMENT

BECAUSE OF DEFICIENCIES NOTED ON THE ATTACHED KANSAS DEPARTMENT OF AGRICULTURE INSPECTION REPORT, I VOLUNTARILY AGREE TO CLOSE THIS ESTABLISHMENT AND CEASE OPERATION UNTIL NEEDED CORRECTIONS HAVE BEEN COMPLETED. I AGREE NOT TO REOPEN THIS ESTABLISHMENT PRIOR TO RE-INSPECTION BY THE FOOD, DRUG, AND LODGING SURVEYOR.

Reinspection is currently scheduled for _____

Inspection Report Number 77001187 Inspection Report Date 03/05/15

Establishment Name PALETERIA LA MICHOACANA

Physical Address 1259 CENTRAL AVE City KANSAS CITY
Zip 66102

Additional Notes

due to the presence of rodents, the establishment must close until the presence of rodents is eliminated. The establishment will call the inspector when they are ready for a reopening inspection.

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

Insp Date: 3/5/2015 **Business ID:** 81746FE
Business: PALETERIA LA MICHOACANA

1259 CENTRAL AVE
KANSAS CITY, KS 66102

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NOTICE OF NON COMPLIANCE WITH KANSAS LAW

The Kansas Food, Drug and Cosmetic Act, effective July 1, 2012 includes K.S.A. 65-619 et seq. and regulations promulgated pursuant thereto and grants the Kansas Department of Agriculture the authority to regulate food establishments and food processing plants.

The Kansas Food, Drug and Cosmetic Act requires that all violations shall be corrected no later than 10 days after this inspection unless otherwise directed on this form.

Failure to comply with the food safety law and its regulations may result in embargo of non-compliant products; immediate closure of your establishment; civil penalties of up to \$1,000.00 per violation; denial of license renewal, modification, suspension and/or revocation of any license or authority issued pursuant to the food safety law; and/or any other penalty authorized by law. Pursuant to K.S.A. 65-619 et seq, licensees issued authority under the Kansas Food, Drug and Cosmetic Act may apply to the secretary for an extension of the time prescribed above.

PLEASE CALL (785) 296-5600 IF YOU HAVE ANY QUESTIONS.

Follow up Scheduled _____

Inspection Report Number 77001187

Inspection Report Date 03/05/15

Establishment Name PALETERIA LA MICHOACANA

Physical Address 1259 CENTRAL AVE City KANSAS CITY

Zip 66102

Additional Notes
and Instructions

Follow up to be conducted 10 days after reopening inspection.